



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MAR 09 2005

Harry Kresky, Esq.
250 West 57th Street, Suite 2017
New York, NY 10107

RE: MUR 5509

Dear Mr. Kresky:


On March 3, 2005, the Federal Election Commission reviewed the allegations in the complaint filed by your client, Lenora B. Fulani, President of the Committee for a Unified Independent Party, dated August 6, 2004, and found that, on the basis of the information provided in your complaint, and information provided by the respondents, there is no reason to believe that Kerry-Edwards 2004, Inc. and Robert Farmer, in his official capacity as treasurer, the 2004 Democratic National Convention Committee, Inc. and Andrew Tobias, in his official capacity as treasurer, and the Democratic National Committee and Andrew Tobias, in his official capacity as treasurer, violated the Federal Election Campaign Act of 1971, as amended, or the Presidential Election Campaign Fund Act. Accordingly, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive General Counsel's Report is enclosed for your information.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence H. Norton
General Counsel

BY: 
Lawrence L. Calvert Jr.
Deputy Associate General Counsel
for Enforcement

Enclosure
General Counsel's Report

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